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ABSTRACT

The booklet is intended to help parents plan with educators to develop handicapped children's individualized educational programs. An initial section reviews West Virginia State and Federal laws and notes the reasons for and avenues of parent participation. Steps in education planning are then outlined for identification/referral, multidisciplinary assessment, and placement/individualized education programs (IEPs). A section on developing the IEP addresses its content, its development, parental preparation for IEP meetings, and making the most of the IEP. A final section covers due process, with notes on actions for parents dissatisfied with decisions, due process hearing steps, and the rights of hearing participants. (CL)

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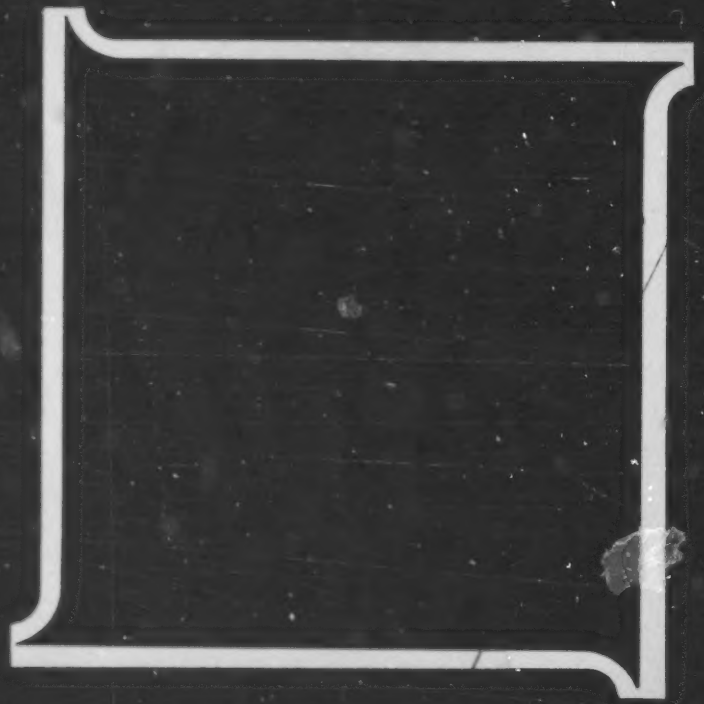

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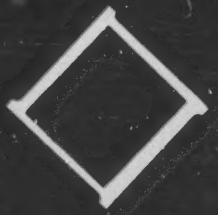

Hand In Hand

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HAND IN HAND

Parents and Educators Planning for the Exceptional Child

Office of Special Education Administration
West Virginia Department of Education
Charleston, West Virginia

Revised 1984

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Introduction

State of West Virginia
Department of Education

Message To Parents

Dear Parents:

Today, each exceptional child and young adult in West Virginia between the ages of 5 and 23 is guaranteed a free appropriate public education which includes special education and related services designed to meet his or her unique needs.

Among the noteworthy provisions of the laws for exceptional children is the requirement that educators and parents cooperatively plan together to develop each child's educational program. The plan developed between educators and parents, termed an "individualized education program," is the key to an appropriate education for each exceptional child and is the basis for assuring that the programs and services a child receives will be in accordance with his or her abilities, goals and aspirations. The concept of an individualized education program emphasizes the uniqueness of each exceptional child and the need to individualize all services to best meet his or her individual needs.

Parental participation in the cooperative planning process, however, requires awareness and knowledge. Therefore, this publication is aimed at providing parents with the information and resources they need to become full participating members of the educational team.

As parents and educators work hand-in-hand, the future of our exceptional children will indeed be in "good hands."

Sincerely yours,

Roy Truby

Dr. Roy Truby
State Superintendent of Schools

How To Use "Hand In Hand"

READ to learn more about how the special education laws affect the education of exceptional children, schools and parents.

USE the suggestions to prepare for planning your child's program.

BRING this guide to meetings as a ready source of information.

READ the appendices for other useful information and helpful suggestions.

LEARN some of the words teachers and specialists use to talk about exceptional children and their special learning needs.

FOLLOW the suggestions in Appendix D to make a file on your child.

BUILD your confidence in what you know about your child and share that information. See Observation Guide, Appendix E.

PREPARE for dealing with problems by knowing your legal rights and what steps to take when you disagree with the school's decisions.

REVIEW what you have learned with the self-check questions.

Before You Begin...Key Terms

(more definitions Appendix A)

Exceptional Children

The term "exceptional children" is used to describe those children and young adults who differ from the average or normal in learning or academic skills, mental ability, hearing, speech and language, vision, behavior or physical or health characteristics and need special education programs and services. The term includes both the "handicapped" and "gifted". The definition of "exceptional children" is very broad and includes individuals who need special education and related services because of any of the following:

Hearing impairments or deafness
Communication disorders or speech and language impairments
Giftedness
Visual impairments or blindness
Behavioral disorders or emotional disturbances
Mental impairments
Physical impairments
Chronic or long term health problems
Specific learning disabilities
"Other conditions" that affect learning

Special Education

"Special education" means programs which have specially trained teachers and special materials and equipment to help exceptional children learn. In "special education" the instruction is individually planned and designed to meet the unique needs of each exceptional child.

Individualized Education Program

An "individualized education program," termed IEP, is a written plan for an exceptional child's education. It is developed in meetings by parents and educators. The IEP lists an exceptional child's needs and describes the instruction and services the school will provide to meet those needs.

Article 20, Chapter 18

Article 20, Chapter 18 of the code of West Virginia, titled Education of Exceptional Children, is a law passed by the West Virginia legislature that requires each county school system to provide special education programs and services to all exceptional children from five to 23 years of age.

Regulations for the Education of Exceptional Students

The Regulations for the Education of Exceptional Students are the State Board approved regulations which govern the programs and services for the education of exceptional students in West Virginia.

Public Law 94-142

Public Law 94-142, the "Education for All Handicapped Children Act of 1975" is a law passed by the United States Congress guaranteeing all handicapped children in all states a free appropriate public education which includes special education and related services to meet their unique needs. The provisions of Public Law 94-142 also insures that the rights of handicapped children and their parents are protected.

Using the Self-Check System

Article 20, Chapter 18 and Public Law 94-142 contain a great deal of information important to parents. **HAND IN HAND** is designed to present that information in a usable and practical way. The "self-check" pages are to make sure key points are clear before reading further. An answer key is provided below the self-check questions.

Education For Exceptional Children: It's The Law

STATE AND FEDERAL LAWS

West Virginia in 1969 (Article 20, Chapter 18) and the United States Congress in 1975 (Public Law 94-142) passed legislation for exceptional children because parents and parent groups initiated and strongly supported efforts to improve the availability and quality of education for their children. Today over 5 million children in the United States benefit from free special education programs and services as a result of the laws for the education of exceptional children, over 49,000 in the state of West Virginia.

What the Special Education Laws Mean

-Public schools must provide special education programs and services for **all** exceptional children from five to 23 years of age, with no exception.

-Public schools must provide special education and related services to exceptional children at **no cost** to families.

-Public schools must provide special education programs and services that are **appropriate** to meet the unique needs of each exceptional child.

-Public schools must educate handicapped children in settings and classrooms that allow each child to participate in the regular school program as much as possible.

-Public schools must inform parents and ask parents to participate in making decisions and in developing the educational program for their exceptional child.

-Parents have the right to request that their child's educational needs be met by the public schools and need not accept **any** excuse as to why an appropriate education cannot be provided.

-Parents have the right to inspect and review all education records maintained by the school pertaining to their child.

-Parents have the right to challenge the school's decisions in regard to the education of their exceptional child and can request a hearing and other special procedures if they feel their child's current educational needs are not being fully met by the public school.

"Good News for Exceptional Children"

SPECIAL EDUCATION LAWS

Answer true or false:

_____ 1. Education must be provided for **all** exceptional children from ages 5 to 23 at **no cost** to their families.

_____ 2. Parents and the schools are to work together when deciding what the child's education program will be.

_____ 3. Parents must accept the special education program offered for their child by the school even if they feel it is inappropriate to meet his or her needs.

_____ 4. The following are all acceptable reasons for excluding exceptional children from special education programs and services:

a) "We do not accept children who are not toilet trained."

b) "We do not have the money for the type of program your child needs."

c) "We cannot provide transportation."

Answer Key

1. true
2. true
3. false
4. false

PARENT PARTICIPATION

One of the most important features of the laws for the education of exceptional children is the guarantee for parent participation. This is a new role for parents. Parents have the opportunity and responsibility of being active participants, rather than passive observers, in their child's educational future. To take part, however, parents need awareness and information. This booklet is intended to help parents to know about and to take an active part in their child's education.

Why Parents Need to Participate

-Parents are their child's first teacher and know more about their child than anyone else.

-Parents often have questions, concerns, suggestions, and years of experience with their child to share with educators.

-When parents participate, educators have the opportunity to share information about the child's educational strengths and needs that can help parents plan for the future.

-When parents learn more about their child and the kinds of help their child will need, they can be better decision-makers.

-When parents participate they become key members of the decision making team, helping plan their child's education program, and insuring that the programs and services their child receives is appropriate to meet his or her needs.

-When parents and educators work together the child benefits most.

"Parents and Educators"
"We're a Team"

Parent Participation

Fill in the blanks:

1. _____ is the child's first teacher.
2. _____ and _____ have useful information about the child and need to share for planning the child's future.
3. When parents and educators work together, the _____ benefits most of all.

Answer Key

1. The parent 2. Parents, educators, 3. child

HOW PARENTS PARTICIPATE

Parents participate in their child's education in the following ways, according to the special education laws:

1) giving written permission for the initial multi-disciplinary assessment to determine the child's abilities and needs.

2) attending and participating in meetings to develop the special education program and learning goals for the child.

3) agreeing and giving written permission at the beginning or changing of any special education program for the child.

4) attending and participating in meetings to review their child's progress and effectiveness of the special education program.

Either parents or educators may call a meeting to discuss a child. Meetings are called:

1) whenever the parents or school feel the child needs to begin special help;

2) at the beginning and/or end of every year to develop or review the child's educational program; and

3) anytime during the year when parents or educators see the need.

The special education laws require the schools to make considerable efforts to insure that parents have the opportunity to participate in meetings or review their child's educational program. The efforts include:

1) providing parents written notice of a meeting at the school;

2) giving parents the opportunity to have the meeting scheduled at a mutually agreed upon place and time; and

3) using methods such as conference telephone calls or visits to the home or place of employment if parents cannot attend a meeting at the school.

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"Parent Participation in Education"

How Parents Participate

Fill in the blanks:

1. Who can call a meeting to discuss the child? _____ and _____

2. Schools must inform parents and obtain parent's _____ before placing a child in a special education program.

3. _____ must be invited to the meetings to help plan the child's special education program.

NOTES:

Answer Key

1. parents, educators
2. permission 3. Parents

Steps For Educational Planning

STEPS FOR EDUCATIONAL PLANNING

Overview

State and federal laws and regulations require county school systems to follow a step-by-step process in planning and providing special education programs and services for exceptional children. Three steps are important in the planning of each child's education program: Identification/Referral, Multidisciplinary Assessment, and Placement/Individualized Education Program. Parents need to be familiar with these steps in order to play an active role in the planning of their child's special education program. An overview of the steps described in this section are:

1. Identification/Referral

   Attempts are continually being made to locate exceptional students. A referral for special education is the result of concern on the part of parents, guardians, school personnel or others, for the welfare of the individual.

2. Multidisciplinary Assessment

   A multididiciplinary assessment is a comprehensive evaluation of a child's abilities by a team of trained teachers and specialists. An assessment determines the child's strengths, weaknesses and educational needs.

3. Placement/Individualized Education Program

   The parents and school personnel form a Placement Advisory Committee (PAC) to decide if the child needs special education services. If the child is placed in special education, the PAC will develop an Individualized Education Program (IEP). The (IEP) is a written plan, developed in meetings between parents and educators, that matches what the child needs to learn (educational needs) with a program designed to meet those needs.

IDENTIFICATION/REFERRAL

The identification of children who may need special education services in order to fully benefit from their educational opportunities is the responsibility of the county school system. The county school system must have an ongoing identification/referral process which includes:

1. Public awareness activities
2. Training of school personnel to recognize possible exceptional students.
3. Annual sweep screening of certain students in the areas of hearing, vision, speech and language.
4. Procedures which allow parents, guardians, school personnel and others concerned with the welfare of the individual, to make a referral.

If your child exhibits any one or a combination of the behaviors listed below, over a period of time, you may want to seek special help through the local county school system.

- ___ Short attention span
- ___ Variability of moods
- ___ Inability to get along with peers or teachers
- ___ Erratic performance within a subject area
- ___ Experience difficulty following verbal and/or written directions
- ___ Is frequently truant
- ___ Squints when reading from the blackboard
- ___ Slurring of speech
- ___ Fails to respond to the normal level of speech
- ___ Rubs and blinks eyes frequently
- ___ Frequently complains of physical or medical problems
- ___ Appears to forget simple concepts from one day to next
- ___ Appears to be more clumsy than peers
- ___ Overracts emotionally to minor accidents
- ___ Puts in real effort, but fails to pass tests
- ___ Poor handwriting
- ___ Difficulty in spelling
- ___ Experiences difficulty completing classroom assignments
- ___ Thoughts expressed in written work are incomplete
- ___ Has to be doing something all the time-like tapping fingers or feet, grimacing, etc.
- ___ Reads at a lower level than most students at his/her age

<u>Gifted</u>

- ___ Learns rapidly, easily and efficiently
- ___ Asks many questions, often challenging the teacher
- ___ Resourceful, can solve problems by ingenious methods
- ___ Creative in thoughts, new ideas, seeing associations, innovations
- ___ Reveals originality in oral and written expression
- ___ Uses a large number of words easily and accurately

Finding exceptional students

Identification/Referral

Answer true or false:

____ 1. Parents may not refer their own children for special education.

____ 2. Schools try to find children who need help.

Answer Key

1. False
2. True

Multidisciplinary Assessment

An assessment is a careful look by a team of teachers and specialists at a child's abilities, strengths and weaknesses. It provides information about the child's educational needs and includes information to determine whether a special education program is necessary. The assessment takes place before an individualized education program is written.

What Parents Should Know About Assessments

-An assessment must include several different ways to obtain information; some examples are:

by teachers
- achievement tests
- informal testing and classroom observations

by parents
- reports of what the child can and cannot do at home

by specialists
- physical examinations
- physical therapy evaluations
- vision and hearing evaluations
- speech and language evaluations
- psychological evaluations

-ONE TEST OR **PROCEDURE ALONE IS NOT ENOUGH.**

-According to special education laws, an assessment must:

1) be preceded by the school informing the parents that the assessment will take place;
2) be preceded by the school obtaining the parents consent (initial assessment only);
3) be made by more than one person; a team or group is required;
4) be comprehensive and include assessments in all areas related to the suspected problem;
5) describe the child's educational needs and make recommendations rather than just provide a test score or label;
6) be in the child's native **language** or method of communication;
7) be completed before the child may be placed in a special education program and at least every three years.

An assessment is not done just once, but must be done regularly as the child grows and changes. Parents or teachers may request an assessment at any time.

"Each has a special viewpoint of the child.
No one knows it all."

Multidisciplinary Assessment

Answer true or false:

_____ 1. An assessment describes a child's abilities and educational needs.

_____ 2. Only one test is needed for an assessment.

_____ 3. Parents can offer important daily-living information about their child.

_____ 4. Assessments must be comprehensive and done by a team of teachers and specialists.

_____ 5. Parents must be informed and consent to an initial assessment, before it may be performed.

NOTES:

Answer Key

1. true 2. false 3. true
4. true 5. true

PLACEMENT/INDIVIDUALIZED EDUCATION PROGRAM

Before a child can receive special education services, a Special Education Placement Advisory Committee (see page 24) must determine the child's eligibility for special education, recommend placement and develop the Individualized Education Program. The Individualized Education Program (IEP) is a written plan that "matches" what the child needs in order to be successful, with the child's actual daily education program.

Parents and Educators Together Write a Program for the Child

-the program, called the Individual Educational Program, explains:

1) what the child's present abilities and educational needs are:

2) what kind of programs, services and teachers the child will have;

3) what kind of classroom or instructional setting the child will have;

4) what the child will be learning in the coming months;

5) what help the child will need from specialists such as physical therapists or speech-language pathologist in order to reach his/her potential.

-The IEP match of needs with the child's daily education program occurs when we:

1) know what the child can and cannot do (assessment);

2) know what the child needs to learn next (goals);

3) place the child in a program and instructional setting or classroom that best provides what he/she needs.

-There is one IEP for every child and it is to be reviewed and revised at least once a year.

-The purpose of the IEP is to (1) look at what the child needs (2) decide how those needs are to be met and (3) serve as the basis for deciding how well the needs have been met.

"Every special education child has an IEP".

The IEP

Fill in the blanks:

1. The Individualized Education Program is referred to as an _____ .
2. The IEP is reviewed and revised at least once a _____ .
3. _____ and educators together develop the child's IEP which is a _____ of the child's needs with a program to fit those needs.

Answer Key

1. IEP 2. year
3. Parents, match

Developing The Individualized Education Program: Who, What, How

THE IEP in WEST VIRGINIA

The purpose of this section is to acquaint parents with the process of developing the Individualized Education Program (IEP). In West Virginia, the IEP is a plan developed in a meeting between parents and educators that describes the long range goals for the child, the services and special equipment and materials the child will need to benefit from special education, and the types of programs and placements recommended for providing the child with instructional services.

The IEP also includes the annual educational goals for **each** program and service the child is to receive along with the specific steps each teacher plans to follow in reaching these goals.

The laws for exceptional children assure parents the right to participate in and understand what goes on at each IEP meeting. However, parents and educators must agree on the contents of the IEP before the child may receive special education programs and services.

The IEP is made for the individual child.

The IEP

Answer true or false:

____1. Parents have the legal right to participate and must be assured an understanding of what goes on at the meetings.

____2. The IEP must be completed before a child may receive special education and related services.

____3. The IEP does not include the annual educational goals for the special education student.

NOTES:

Answer Key

1. true
2. true
3. false

WHO DEVELOPS THE IEP?

The IEP is developed by a Special Education Placement Advisory Committee. This committee is a group of individuals who work together to form a comprehensive view of a child's learning needs and then recommends the most appropriate educational programs, services, and classroom placement. The Special Education Placement Advisory committee is made up of the following individuals:

1.) The county superintendent of schools or his/her designee who acts as the chairperson. The designee is typically such school personnel as the director of special education, school principal or special education supervisor;

2.) The teachers and specialists who administered the individual assessments or a professional educator qualified to present and explain the written report of the evaluator(s);

3.) Other teachers and specialists certified in the suspected area(s) of exceptionality;

4.) One or both of the student's parents;

5.) The student, where appropriate;

6.) One or more of the student's current teachers;

7.) Other individuals at the discretion of the parent(s) or school (i.e. physical therapist, vocational representative).

"Parents are key members of meetings to develop their child's IEP"

THE IEP: WHO

Answer True or False:

_____1. Parents may bring someone with them to the IEP meetings to help them in making decisions.

_____2. An exceptional child is not permitted to attend IEP meetings.

_____3. Parents are key members of the team to develop the IEP.

Notes:

Answer Key:
1. True
2. False
3. True

WHAT DOES THE IEP CONTAIN?

IEP: Individualized Education Program includes:

1.) The student's present levels of educational performance;

2.) Annual learning outcomes and short-term learning objectives, including appropriate objectives criteria;

3.) Specific educational placement in the least restrictive alternative;

4.) Related services such as transportation, and specialized equipment to be utilized;

5.) Extent (frequency per week, duration per session of classes or related services) to which the student will participate in regular and special education programs, including physical education and career education;

6.) The projected date for the initiation and anticipated duration of each special education service;

7.) Assessment procedures and timelines for determining, on at least an annual basis, whether the learning outcomes and learning objectives are being achieved;

8.) Signatures and positions of Placement Advisory Committee members (including the parent(s) in attendance), their agreement or disagreement with the recommendations, and the date of the meeting;

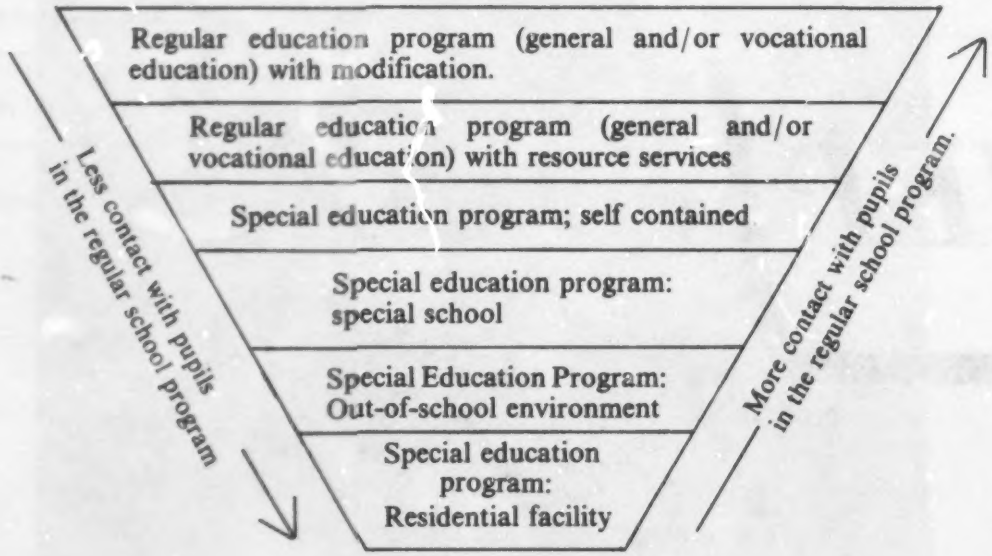
9.) Written parental consent for the initial Individualized Education Program or any Individualized Education Program addressing change of placement;

10.) When an exceptional student is being considered for graduation, the requirements for graduation must be stated in his/her IEP.

WHAT DOES THE IEP CONTAIN? (Continued)

PLACEMENT AND THE IEP

An important part of the IEP is the child's recommended placement. Placement means a specific description of : (1) the type of program the child is to receive, such as "specific learning disability program," "hearing impaired program," "speech and language program," etc., and (2) the type of classroom setting appropriate for the child. The types of classroom setting in which special education is available for exceptional children are arranged in regard to how much contact the child will have with students in the regular classroom. These are illustrated below:


Regular education program (general and/or vocational education) with modification.
Regular education program (general and/or vocational education) with resource services
Special education program; self contained
Special education program: special school
Special Education Program: Out-of-school environment
Special education program: Residential facility
Less contact with pupils in the regular school program
More contact with pupils in the regular school program.

PLACEMENT ALTERNATIVES

According to the special education laws, placement must: (1) be decided at least once a year; (2) be as close to the child's home as possible: and (3) allow the child to participate in the regular school program as much as possible.

WHAT DOES THE IEP CONTAIN? (Continued)

The IEP is the total school plan for the student.

The IEP: WHAT

Fill in blanks:

1. The recommended placement (type of special education program and classroom settings) is included in the _____.
2. Placement must allow the child to participate as much as possible in the _____ school program.
3. A child's placement must be decided at least _____ _____.

Answer Key

1. IEP
2. regular
3. once a year

HOW PARENTS CAN PREPARE FOR THE IEP MEETINGS

-First, **remember,** that you have a special understanding of your child and see your child in different situations than educators, so **share** this understanding and expect them to listen to you.

-Write down any questions, suggestions, or problems before you go to the IEP meetings and be sure to bring them up; it is easy to forget them if you are in a rush or feel a little nervous.

-**Review and write down** things you've noticed your child can and cannot do and what he enjoys; also note if there have been any changes recently.

-**Collect** all reports and letters you have about your child and bring them to the meeting. (It's not required, but it's a **good idea** to have this information organized and available; see Appendix D for more suggestions on how to make a home file for your child.)

-Remember, you have the right to review your child's school records.

"I'm prepared because my child deserves the best."

Preparation Checklist

_____ Relax and remember that you can offer a lot.

_____ Write down any questions or thoughts you'll want to bring up at the meeting.

_____ Write down things about how your child is at home and what he enjoys and needs.

_____ Collect all written letters, reports, etc. you have for your child.

NOTES:

MAKING THE MOST OF THE CHILD'S IEP

-Parents are concerned about their child not only now but for the years to come; therefore, it is important to make the most of each year of the child's schooling. To make this possible it is suggested parents consider the following:

1) visit the school/center a minimum of once a month to talk with the teacher and share insights, questions, problems, and progress;

2) request that the teacher send activities or ideas to work on at home to reinforce what the child is learning at school;

3) join a local parent group to explore their resources;

   a) Often parents find that meeting with other parents who have shared many of the same experiences is most helpful of all. Discussions on topics of interest, visits to educational programs, talks by professionals, and new friendships are available in most parent groups.

   b) If a parent group that fits your needs is not available consider starting one.

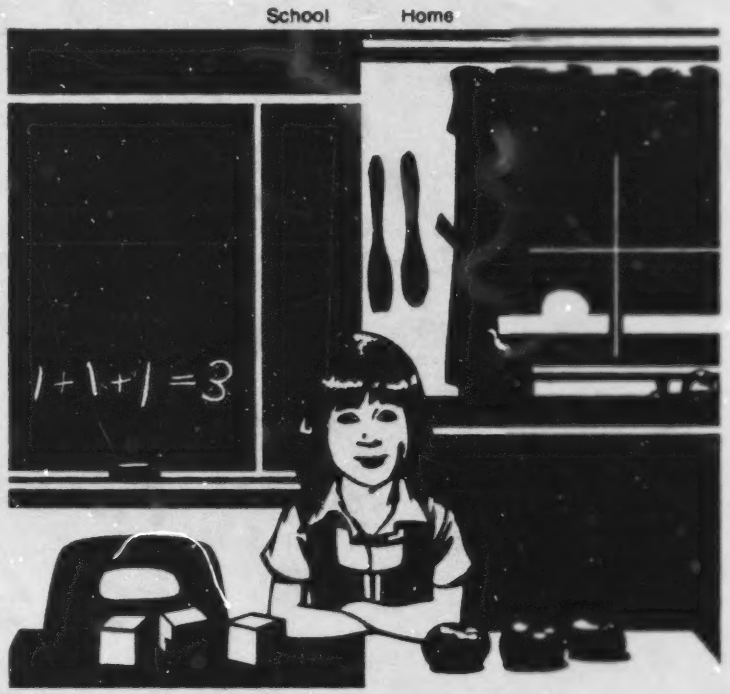
4) prepare for each IEP meeting and other conferences with the teacher by:

   a) bringing your child's home file to the meeting;

   b) listing questions you will want to discuss and deciding what you expect to know by the end of the discussion;

   c) talking with your child and reviewing his feelings and suggestions about school;

   d) writing down information about the child's new skills, interests, needs, and changes.



"Keep the Team Work Rolling"

Making the Most of the IEP

Answer true or false:

_____ 1. Parent participation need not stop after the IEP is written.

_____ 2. Goals in the IEP can also be worked on at home.

_____ 3. Communication between home and school keeps everyone aware of the child's needs and progress.

NOTES:

Answer Key
1. true
2. true
3. true

Due Process:
The Protection of Rights

DUE PROCESS--THE PROTECTION OF RIGHTS

All participants, including parents and educators, have protection of their rights in special education. All rights available to parents are also available to educators. This section explains the steps and specific rights parents should know.

If Parents are Dissatisfied with Decisions or Results

-Parents have the lawful right to challenge the school's decision if they think:

1) the school failed to obtain the required parental permission throughout the IEP process.

2) the assessment was inadequate

   (If parents disagree with the assessment done by the county school system, they have the right to an **independent educational assessment** at public expense and also have the right to have the results of the assessment considered in any decision concerning the child's education. The county school system, however, may initiate a hearing to show its assessment is appropriate. If the final decision of the hearing is that the school's assessment is appropriate, parents still have the right to an independent educational assessment but not at public expenses.)

3) the recommended program and/or placement decision was inappropriate.

4) the decision to serve or not to serve the child in special education was inappropriate.

5) they were not given the opportunity to fully participate in the development of the IEP.

6) the IEP developed was not responsive to the child's individual abilities and needs.

7) the programs and services listed in the IEP have been excessively delayed, denied or were inadequately represented for meeting the child's needs.

-When challenging the school, parents have definite procedures available to them to follow. These are provided in the laws for exceptional children.

-A conference is often the best first step; however, parents can legally decide to omit these first steps and request a due process hearing. A due process hearing is a procedure whereby both educators and parents present both sides of a disagreement to a neutral individual (called an impartial hearing officer), who renders a decision based upon the evidence presented.

DUE PROCESS HEARING STEPS

The first three steps are recommended though optional.

First: **Request a Conference**

Contact the principal or director of special education and request a conference about your concerns. Be prepared and as specific as possible. **But** if a conference does not solve the problem then you may...

Second: **Request a meeting with the county superintendent of schools** or his representative. If the problem is still unsolved you may...

Third: **Write to the Office of Special Education Administration,** West Virginia Department of Education, Capitol Complex B-6, Rm. 309, Charleston, WV 25305 to request their assistance in mediation or call toll free 1-800-642-8541. If these efforts fail, the following are the required procedures...

Fourth: **Request a Due Process Hearing**

Write to the county superintendent of schools and request a hearing. Obtain advice from a parent group or legal counselor. The hearing must be conducted by an impartial hearing officer and a decision must be reached within 45 days. **But if** not satisfied after the hearing you may...

Fifth: **Appeal to the West Virginia Department of Education**

This hearing must be conducted within 30 days of the request for the appeal. The same rights must be afforded participants as in the initial due process hearing, but if not satisfied after the appeal process you may...

Sixth: **Prepare a Civil Suit**

With legal advice pursue action through the court system.

"The Laws for Exceptional Children provide legal rights for parents to challenge school decisions."

Protection of Rights

Answer true or false:

____ 1. Parents and educators should attempt to work out differences whenever there is dissatisfaction.

____ 2. Parents have a legal right to an appropriate schooling for their child.

____ 3. A hearing is a formal review of a problem and can be initiated by parents.

____ 4. If the local and state education hearings yield decisions unsatisfactory to parents, the parent can bring civil action through the court system.

Answer Key

1. true
2. true
3. true
4. true

HEARING RIGHTS

Parents, educators and exceptional children all have certain rights during a due process hearing. This section lists the rights of all participants.

The Rights of Due Process Hearing Participants

Parents and **Educators** have the right:

- to be accompanied by legal advisers and/or specialists with respect to problems of exceptional children
- to present evidence, confront and call witnesses
- to disallow the introduction of evidence that has not been given to either party at least five days prior to the hearing
- to receive a written or tape recorded copy of the hearing
- to obtain written findings of facts and decisions
- to appeal the decision

Parents have the right:

- to make the hearing open to the public (otherwise the hearing shall be closed to the public)
- to be informed by the county school system of free or low cost legal advice
- to obtain at public expense an interpreter for the deaf or of the primary language of the home, when needed
- to inspect and review all of their child's educational records
- to obtain copies of their child's educational records for a reasonable fee
- to obtain an independent educational assessment at public expense (see page 34) or at their own expense, and to present the results as evidence at the hearing

The **Exceptional Child** has the right:

- to remain in his/her present educational setting until all administrative and judicial reviews have been completed, unless the parents ans school agree otherwise
- to be placed in school (With parental consent) until all administrative and judical reviews have been completed, if he/she has not yet been admitted to school
- to attend all proceedings, if he/she is eighteen years of age or older.

NOTES:

Hearing Rights

Fill in the blank:

1. _____ , _____ , and exceptional children all have certain rights during a due process hearing.
2. Facts and decisions must be given to the parents in _____ .
3. Parents may _____ a decision made after the hearing.
4. Parents may bring the _____ to the hearing, if they choose.

Answer Key

1. Parents, Educators
2. writing
3. appeal
4. child

Appendices

Appendix A

Parents Educational Dictionary

Parents
Educational Dictionary

Key Words	What They Mean for Special Education
related services	services required to assist an exceptional child to benefit from special education; these may include -transportation to and from school -counseling for child and/or family -recreation or special physical education -school health services -physical therapy -occupational therapy -"others"
assessment	procedures used to determine whether a child is handicapped or gifted (exceptional), what he can and cannot do, and the nature and extent of the special education and related services the child will need
observation	a careful look at the child in school or home to note how he/she works and plays in different situations, at different times during the day, and in different activities; the purpose of observation is to learn more about the child than can be obtained from a test
parent consent	permission given voluntarily after provision of information and explanation about the activity for which the school seeks parental permission; parental consent may be revoked (taken back by the parent) at any time
placement	specific description of the child's program and classroom setting describing how much contact the child will have with students in the regular classroom

continuum of alternative placements or service configurations	a list of program placements available for providing appropriate special education; types of placements include: Regular education program (general and/or vocational education) with modification Regular education program (general and/or vocational education) with resource services Special education program: self-contained Special education program: special school Special education program: out-of-school environment Special education program: residential facility
least restrictive alternative	a legal guarantee that to the maximum extent possible exceptional children will be provided an opportunity to learn with students in the regular school program
placement advisory committee	a team of school personnel and the student's parents, who work together to form a comprehensive view of child's learning needs, and based upon the results of assessments and observations, recommend an appropriate program and educational placement.
vocational education	educational programs which are directly related to the preparation of individuals for paid or unpaid employment or additional preparation for a career (other than those requiring college degree)
free appropriate public education (FAPE)	a legal guarantee that no child can be denied an education because of a handicap; that education must be provided without cost to parents; that the education must be the kind of education the child needs
Learning outcomes and short-term learning objectives	Statements which describe the new skills to be learned by the child in the coming months; these must be related to the child's assessment results and be discussed by the PAC/IEP team members (including the parent)

physical therapist	person trained to develop a physically handicapped child's strength, endurance, and movement patterns so that the child may become as independent as possible
occupational therapist	person trained to build the skills of a physically handicapped child needed in daily living, such as feeding, dressing and play
speech-language pathologist (speech therapist)	person trained to diagnose speech and language problems and provide help for children in improving speech and language skills
special education teacher	person trained to provide instruction to meet the special learning needs of an exceptional child; special education teachers are qualified (certified) to teach in certain areas of exceptionality, (e.g., specific learning disabilities, hearing impairment, mental impairment, etc.)
audiologist	person trained to diagnose hearing impairments and provide help for hearing impaired children including determining the need for, selecting and fitting of a hearing aid
school psychologist	person trained to do psycho-educational evaluations of children (i.e., intelligence testing, visual-motor assessments, social-emotional assessment, etc.) and to assist parents and teachers in providing help for children

Appendix B

National Organizations Of Special Interest To Parents

National Organizations Of Special Interest To Parents

NAME	ADDRESS	SERVICE
Alexander Graham Bell Association for the Deaf	3417 Volta Pl., NW Washington, D.C. 20007 202/337-5220	National organization for parents and teachers interested in hearing impaired children; provides information on home training, amplification, and has a large library on deafness.
Association for Retarded Citizens of the U.S.	2501 Avenue J Arlington, TX 76011 817/640-0204	National organization that provides information and direct services to retarded children and adults
Association for the Severely Handicapped	7010 Roosevelt Way, NE, Seattle, Wash 98115 206/523-8446	An organization of parents, educators and other professionals, which provides information, support, and coordinates a parent-to-parent network of communication for individuals with severe physical handicaps and profound mental retardation.
American Foundation for the Blind	15 West 16th St. New York, N.Y. 10011 212/620-2000	Private agency that provides information and referral services for the public.
American Speech, Language and Hearing Association	10801 Rockville Pike Rockville, Md. 20852 301/897-5700	An educational and professional organization for speech, language, and audiology. Provides clinical referral services for those seeking clinical services. Free public information literature is available on request from the association.
Association for Children and Adults With Learning Disabilities	4156 Library Rd. Pittsburgh, Penn. 15234 412/341-1515	National organization with chapters in every state; provides information on advocacy, publications, and new developments related to children with learning disabilities.

Asthma and Allergy Foundation of American	1707 N. Street N W Washington, D.C. 20036 202/293-1260	A national informational service organization for individuals with asthma and allergic diseases
Down's Syndrome Congress	1640 West Roosevelt Rd. Chicago, IL 60608 312/226-0416	National information service for and by parents of Down Syndrome retarded children; publishes a monthly newsletter on new information of special interest
Epilepsy Foundation of America	4351 Garden City Drive, Landover, MD. 20785 301/459-3700	A national agency for people with epilepsy. Provides free information on epilepsy and its consequences and educational materials to individuals and groups dealing with seizure disorders. Provides referral service, monitors related legislative activity, and is a strong advocate to help obtain needed services and rights for those with epilepsy.
Mental Health Association, National Headquarters	1800 North Kent St. Arlington, Virginia 22209 703/528-6405	Provides referral services for parents as well as delivering workshops and seminars on the various aspects of mental health. Makes available to the public a large collection of free literature.
Association for the Gifted	1920 Association Drive Reston, Virginia 22209 703/620-3660	Organization of parents, educators, and other professionals which advocates for gifted children and provides informational services.
National Assoc. for Visually Handicapped	305 East 24th St. New York, N.Y. 10010 212/889-3141	Provides free learning materials for parents to help their children, including large print books and a monthly newsletter to keep families informed on the new techniques used with the visually handicapped.

National Easter Seal Society for Crippled Children and Adults	2023 West Ogden Ave. Chicago, Ill. 60612 312/243-8400	National organization to provide rehabilitation services to persons with physical handicaps. Local societies are throughout the country.
National Hemophilia Foundation	19 West 34th St. New York, N.Y. 10001 212/563-0211	Provides free literature on hemophilia and the handicapping conditions which can result from this disease. Provides referral services and was directly responsible for the establishment of 23 diagnostic centers for hemophilia across the country which provide training and rehabilitation.
National Multiple Sclerosis Society	205 East 42nd St. New York, N.Y. 10017 212/986-3240	A voluntary health agency. Provides literature, counseling, training, referral, group recreational activities, loans of special equipment and financial support of Multiple Sclerosis Clinics in local hospitals. Local chapters can be found throughout the county. (Multiple Sclerosis is rarely diagnosed in children)
National Society for Children and Adults with Autism	1234 Massachusetts Ave., N.W. Suite 1017 Washington, DC. 20005-4599 202/783-0125	National organization with information on the education and welfare of children and adults with severe needs in communication and behavior.
Spina Bifida Assoc. of America	343 S. Dearborn Chicago, Ill. 60604 312/663-1562	National association to distribute information to parents and professionals; has local chapters throughout the country.
United Cerebral Palsy Assoc., Inc.	66 East 34th St. New York, N.Y. 10016 212/481-6300	National association for information and service needs to families with a child with cerebral palsy.

For further information concerning national information sources for the handicapped contact:

Clearinghouse on the Handicapped
Office of Information and Resources
for the Handicapped
330 C Street S.W.
Washington, D.C. 20202
Phone (202) 245-0196

Appendix C

West Virginia Resources For Parents of Exceptional Children

West Virginia Resources For Parents of Exceptional Children

The following resources for parents may be obtained by writing the Office of Special Education Administration, West Virginia Department of Education, Room 309-B, Capitol Complex, Charleston, West Virginia 25305 or by calling *TOLL FREE - 1-800-642-8541.*

- **HELP** in getting the kind of special education and related services your child needs.
- **Answers to Questions** concerning special education and related services for your child.
- **Copies of the New Laws** for the Education of Exceptional Children and their regulations.
- Two **additional parent handbooks** concerning the education of exceptional children in West Virginia.
- A **list of organizations** and public and private agencies providing services for exceptional children and their parents.

Appendix D

How To Prepare A Home File For Your Child

Preparing a Home File Of Your Child

As a parent, responsibility for your child continues from year to year. Classrooms and programs change yearly. Therefore, it is often useful that you understand and can share with others what your child needs, and what works and what doesn't. Having a cumulative file of your child helps you and helps others get the most appropriate education for your child.

Step #1 **Gather all materials** you have at home such as school reports, teacher notes, child's work samples, assessment reports and health records.

Step #2 **Use a notebook** to record all calls made to obtain information or services for your child; include name of individual called, position or title, purpose and results, the date you called and the date he/she committed to get back to you.

Step #3 Call or write doctors, other professionals, and school personnel and **ask for copies of reports** in their files that contain information about your child, that may be useful. Explain your purpose and ask for complete information.

Step #4 **Record** dates, purposes, and outcome of all visits, appointments, and conferences with school personnel relating to your child.

Step #5 **Complete the observation guide;** revise it periodically to keep information up-to-date.

Step #6 **Write down key terminology** that relates to your child's diagnosis and learning needs; get explanations and examples from professionals.

Step #7 **Keep a copy of all letters** you write regarding your child's education and health. Be sure letters are dated and include a clearly stated purpose.

Appendix E

Child Observation Guide For Parents

Child Observation Guide For Parents

In order for parents and schools to make effective decisions about a child's educational program, it is important that the wealth of information parents have concerning their children be shared with the school. At home, parents have the opportunity to see their children in an atmosphere which is relaxed and familiar. They may observe abilities, interests, problems, or needs of which educators may not be aware.

Remember to emphasize what your child does well and any successful learning experiences.

Consider this guide your personal record of your child's progress as you observe it at home. Keep the guide updated so that you will be informed at all times.

Be sure to take and use the guide as a reference at all IEP planning meetings or parent teacher conferences.

This guide is a tool for your use so feel free to omit questions which are not appropriate. Remember, any information you share can often be used in the best interest of your child.

Play Activities/Social Activities

It is important for parents to observe their children at play. A child's play can tell much about his strengths, abilities, and needs. Information provided in this section can be helpful in planning to build skills in getting along with self and others.

Play/Social Activities	Concerns/Comments/Suggestions/Questions
1) List activities your child enjoys when alone.	
2) List activities your child enjoys with a friend or with a group.	
3) What difficulties if any does your child have in playing with others?	

Play/Social Activities (cont'd.)	Concerns/Comments/Suggestions/Questions
4) What activity limitations might the child have?	
5) What activities motivate your child?	
6) What new activities do you think the child needs, is ready for, or would benefit from?	

Play/Social Activities (cont'd.)	Concerns/Comments/Suggestions/Questions
7) What hobbies or special interests does your child have?	
8) How does the child feel about himself/herself? What are the child's greatest frustrations?	
9) What suggestions do you have for teachers concerning discipline or communication?	
10) If there were one thing you'd want the teacher to be aware of, what would that be?	

Language

The way a child uses language at home is sometimes different from the way he uses it at school. In order for teachers to evaluate a child's language skills appropriately, it is a tremendous help to have information available from parents concerning language skills, abilities, and needs.

Language	Concerns/Comments/Suggestions/Questions
1) Do you or others have any difficulty understanding your child's speech?	
2) What speaking or listening needs does the child have?	
3) Does the child re-tell stories or sing commercial jingles?	
4) What are your child's favorite TV shows?	
5) What suggestions do you have for teachers in working on speaking or listening skills?	

Self-Care Activities

Since teachers (in many cases) are unaware of the abilities or needs a child may have in caring for himself, parents need to be precise when describing how their children take care of their personal needs. This allows the teacher to know what he should be prepared to do with a particular child. Again, answer those that apply to your child.

Self-care Activities	Concerns/Comments/Suggestions/Questions
1) What assistance do you provide your child during meals? What goals do you have for your child in this area?	
2) What assistance in toileting do you provide? What goals do you have in this area?	
3) What assistance do you provide in dressing? What goals do you have in this area?	
4) What medications or treatments does your child use?	